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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/038,509

01/03/2002

Terry J. Smith

066742-0015

5468

41552

7590

03/05/2008

MCDERMOTT, WILL & EMERY

4370 LA JOLLA VILLAGE DRIVE, SUITE 700

SAN DIEGO, CA 92122

EXAMINER

ROONEY, NORA MAUREEN

ART UNIT

PAPER NUMBER

1644

MAIL DATE

DELIVERY MODE

03/05/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10038509	1/3/2002	SMITH ET AL.	066742-0015

MCDERMOTT, WILL & EMERY  
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SAN DIEGO, CA 92122

**EXAMINER**

NORA M. ROONEY

ART UNIT	PAPER
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1644	20080225
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DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The amendment and argument filed on 10/03/2007 and 01/28/2008 is non-responsive to the Office Action mailed on 04/04/2007. The Office action mailed on 04/04/2007 examined Claims 1-8 drawn a method of detecting Graves disease in a patient comprising obtaining a biological sample from the patient and measuring the binding of disease specific IgG with IGF-1 relative to a control wherein an elevated level of IgG IGF-1 binding relative to the control indicates Graves disease, not IGF-1 receptor. The claims did not have IGF-1R as alleged by Applicant. Applicant is invited to review the claims submitted in the application, in particular, those filed on 01/03/2002 and 01/09/2007. Applicant may also review the Restriction requirement mailed on 08/15/2006 and the Office Action mailed on 04/04/2007 for verification. Applicant elected the method of detecting Graves disease in a patient comprising obtaining a biological sample from the patient and measuring the binding of disease specific IgG with IGF-1 relative to a control wherein an elevated level of IgG IGF-1 binding relative to the control indicates Graves disease by original presentation. Applicant's elected invention has been examined, not the invention claimed in the amendment filed on 10/03/2007 and 01/28/2008.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nora M. Rooney whose telephone number is (571) 272-9937. The examiner can normally be reached Monday through Friday from 8:30 am to 5:00 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen O'Hara can be reached on (571) 272-0878. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 25, 2008  
Nora M. Rooney, M.S., J.D.  
Patent Examiner  
Technology Center 1600

/Maher M. Haddad/  
Primary Examiner,  
Art Unit 1644